

**REMARKS/ARGUMENTS**

Claims 1-25 and 27-28 are pending. By this Amendment, claims 7, 17, 19, and 23 are amended, and claim 26 is canceled without prejudice or disclaimer. Support for the claims can be found through the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Examiner is thanked for the indication that claims 1-3 are allowed and that claims 19-22, 26 and 27 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The allowable features of claim 19 have been added to independent claim 17. Accordingly, independent claim 17 should be in condition for allowance, along with claims 18-22, which depend therefrom. The allowable features of claim 26 have been added to independent claim 23, and claim 26 has been canceled. Accordingly, independent claim 23 should be in condition for allowance, along with claims 24-28, which depend therefrom. Independent claim 4 recites, *inter alia*, measuring temperatures of at least one mover and the at least one stator, similar to claim 26. Thus, independent claim 4 should also be in condition for allowance. Independent claim 5 recites determining first temperature values of the stator and the mover, similar to claim 26. Thus, independent claim 5 should also be in condition for allowance, along with claim 6 which depends therefrom. Independent claim 7 has been amended to recite a temperature sensor "provided for each of the

stator and the rotor of the linear motor.” Accordingly, independent claim 7 should also be in condition for allowance, along with claims 8-16, which depend therefrom.

The Office Action rejected claims 4-6 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,269,846 to Overbeck et al. (hereinafter "Overbeck") in view of U.S. Patent No. 4,470,092 to Lombardi, U.S. Patent No. 6,226,073 to Emoto, U.S. Patent No. 5,838,359 to Hoover and U.S. Patent No. 4,855,674 to Murate et al. (hereinafter "Murate"); rejected claims 5-6 under 35 U.S.C. §103(a) as being unpatentable over Overbeck in view of Lombardi, Emoto, Hoover and U.S. Patent No. 6,069,416 to Chitayat; rejected claims 7, 9, 17, 23, and 24 under 35 U.S.C. §103(a) as being unpatentable over Overbeck in view of Lombardi and Emoto; rejected claims 8 and 11 under 35 U.S.C. §103(a) as being unpatentable over Overbeck in view of Lombardi, Emoto and U.S. Patent No. 5,449,961 to Ludwig et al. (hereinafter "Ludwig"); rejected claims 10 and 12-14 under 35 U.S.C. §103(a) as being unpatentable over Overbeck in view of Lombardi and Emoto and further in view of U.S. Patent No. 5,701,044 to Emshoff et al. (hereinafter "Emshoff"); rejected claims 15, 18, and 28 under 35 U.S.C. §103(a) as being unpatentable over Overbeck in view of Lombardi, Emoto, Emshoff, and U.S. Patent No. 4,542,324 to Leuthen; and rejected claims 16 and 25 under 35 U.S.C. §103(a) as being unpatentable over Overbeck in view of Lombardi, Emoto and U.S. Patent No. 4,907,021 to Yabu. These rejections are moot in view of the above amendments, which added allowable subject matter to each of independent claims 4-5, 7, 17, and 23. Accordingly, the rejections should be withdrawn.

Serial No. 09/777,689  
Reply to Office Action dated October 17, 2003

Docket No. MRE-0008

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carol L. Druzbeck**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
FLESHNER & KIM, LLP



Carol L. Druzbeck  
Registration No. 40,287

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
703 766-3701 JCE:CLD/kah  
**Date:** February 17, 2004

**Please direct all correspondence to Customer Number 34610**